

ASSEMBLY BILL

No. 416

Introduced by Assembly Member Logue

February 14, 2011

An act to amend Section 1389.1 of the Health and Safety Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 416, as introduced, Logue. Health care coverage.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care, and makes a willful violation of its provisions a crime.

This bill would make a technical, nonsubstantive change to a provision of the Knox-Keene Health Care Service Plan Act of 1975.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1389.1 of the Health and Safety Code is
- 2 amended to read:
- 3 1389.1. (a) The director shall not approve any plan contract
- 4 unless the director finds that the application conforms to both of
- 5 the following requirements:
- 6 (1) All applications for coverage—~~which~~ *that* include
- 7 health-related questions shall contain clear and unambiguous
- 8 questions designed to ascertain the health condition or history of
- 9 the applicant.

1 (2) The application questions related to an applicant's health
2 shall be based on medical information that is reasonable and
3 necessary for medical underwriting purposes. The application shall
4 include a prominently displayed notice that shall read:
5 "California law prohibits an HIV test from being required or
6 used by health care service plans as a condition of obtaining
7 coverage."
8 (b) Nothing in this section ~~shall authorize~~ *authorizes* the director
9 to establish or require a single or standard application form for
10 application questions.